IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

L.P.A.No. 55 of 2005
Jairam Subraya Ullal... appellant
vs
Thane Mun Corpn and ors...Respondents

Mr D.V.Pawar for appellant
Mr.R.S.Apte for respondent no.l

CORAM: A.P.SHAH & D.Y.CHANDRACHUD JJ.

Dated 9.6.2005

P.C:

. This appeal is filed by the original claimants who had filed claim petition before the Motor Accident Claims Tribunal for an accident in which the bus of the respondent no.l was involved. The tribunal awarded to the appellant Rs.ll,800 as compensation including no fault liability amount. In appeal the learned Judge has held that the appellant would be entitled to additional amount of Rs.l0,000.

. The accident resulted in three days hospitalisation and two months bed rest. As per the evidence of the doctor the appellant had abrasions on right thigh, CLW,on right foot ankle and there was injury to his shoulder. He was advised bed rest for fracture. The effect of the

fracture was for short time and it was not for longer period. The evidence of the doctor further shows that the fracture was a weight bearing bone for which he was advised rest for two months and in future also the appellant would be a normal person.

. There is no evidence regarding any permanent disability. Therefore no amount can be awarded to the appellant for permanent disability.In the circumstances the amount awarded by the learned single Judge appears to be just and proper. Appeal is dismissed.